UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

ABOUBACAR JALLOH,

Index No.: 07 Civ. 4091 (NRB)

Page 1 of 4

Plaintiff,

ECF CASE

-against-

NOTICE OF MOTION FOR SUMMARY JUDGMENT

THOMAS P. WENDEL,

Hon. Judge Naomi R. Buchwald

Defendant.

MOTION BY:

Defendant THOMAS P. WENDEL

DATE and TIME:

At a date and time to be determined by the Court.

PLACE:

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK

500 Pearl Street

New York, New York 10007

Before the Hon. Judge Naomi R. Buchwald

SUPPORTING PAPERS:

Affidavit of Mark A. Solomon and Memorandum of Law with

attachments thereto.

RELIEF DEMANDED:

(a) An Order pursuant to FRCP 56 and N.Y. Insurance Law 5102 granting summary judgment in favor of defendant Thomas P. Jalloh dismissing the complaint and any and all claims asserted against him.

(b) Such other and further relief as this Court deems just

and proper.

Dated: New York, New York

May 16, 2008

Yours, etc.,

LAW OFFICES OF HARVEY & VANDAMME

Attorneys for Defendant THOMAS P. WENDEL

By:_

Mark A. Solomon (2613) 90 Broad Street - Suite 2202 New York, New York 10004 (646) 428-2650

TO: BUDIN, REISMAN, KUPFERBERG & BERNSTEIN, LLP

Attorneys for Plaintiff ABOUBACAR JALLOH 112 Madison Avenue New York, New York 10016 (212) 696-5500

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AFFIDAVIT OF SERVICE

STATE OF NEW YORK) SS.: COUNTY OF NEW YORK)

ROBERTTA GRAHAM, being duly sworn, deposes and says: that deponent is not a party to this action is over 18 years of age and resides in Bronx, New York.

That on the 16th day of May 2008, deponent served the within NOTICE OF MOTION FOR SUMMARY JUDGMENT and AFFIDAVIT IN SUPPORT OF MOTION FOR **SUMMARY JUDGMENT** upon:

BUDIN, REISMAN, KUPFERBERG & BERNSTEIN, LLP TO: Attorneys for Plaintiff ABOUBACAR JALLOH 112 Madison Avenue New York, New York 10016

(212) 696-5500

at the addresses designated by said attorneys for that purpose by depositing a true copy of same enclosed in a postpaid, properly addressed wrapper, in the official depository under the exclusive care and custody of the United States Post Office with the State of New York

ROBERTTA GRAHAM

Sworn to before me this 16th day of May, 2008

Notary Public

isk county CERTIFICATE FILE

NOTARY PUBLIC, STATE OF NEW YORK NO. 01RU6118288

QUALIFIED IN NEW YORK COUNTY CERTIFICATE FILED IN NEW YORK COUNTY ON COMMISSION FOR

SOUTHERN DISTRICT OF NEW YORK	
ABOUBACAR JALLOH,	Index No.: 07 Civ. 4091 (NRB)
Plaintiff,	ECF CASE
-against-	Hon. Judge Naomi R. Buchwald
THOMAS P. WENDEL,	
Defendant.	

NOTICE OF MOTION FOR SUMMARY JUDGMENT AFFIDAVIT IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT

LAW OFFICES OF HARVEY & VANDAMME

Attorneys for Defendant THOMAS P. WENDEL 90 Broad Street – Suite 2202 New York, New York 10004 (646) 428-2650